

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA  
v.

## CRIMINAL COMPLAINT

Cruz Guadalupe Salgado-Ferrer **PRINCIPAL**  
YOB: 1991

the United Mexican States

Case Number:

Mario Alexander Torres-Ortega **CO-PRINCIPAL**  
YOB: 1992United States District Court  
Southern District of Texas  
FILED

M-16-1505 -M

AUG 11 2016

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 9, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Julian Perez-Benitez, a citizen and national of Honduras, Daniel Angel Xante-Felipe, a citizen and national of Guatemala and Marlon Javier Saravia-Cortez, a citizen and national of El Salvador, along with seventeen (17) other citizens and nationals of the United Mexican States, El Salvador, Guatemala, and Honduras for a total of twenty (20), who had come to, entered, or remained in the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) **FELONY**I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 9, 2016, at approximately 2:00 p.m., Border Patrol Agents were conducting surveillance at the intersection of Expressway 83 Frontage Road and Alamo Road in Alamo, Texas. During surveillance, the agents witnessed a white Mazda sedan meet with a red Ford pickup truck. Agents observed two subjects exit the white Mazda and enter the red Ford pickup truck. Agents suspected they had just witnessed a body transfer consistent with human smuggling. Agents followed the red pickup truck to further investigate.

Agents followed the red pickup truck to a residence located at 5812 Mendoza Street in Mercedes, Texas. Agents observed all the subjects in the truck exit and enter the residence. Agents observed that the residence appeared to be composed of three mobile homes next to each other. Hours later, the agents observed the red pickup truck departed the residence. Agents followed the red truck and contacted Hidalgo County Sheriff's office for assistance. Deputy Cortez from the Sheriff's office pulled over the red pickup truck for speeding. Deputy Cortez issued a warning to the driver of the pickup truck. During the vehicle stop, agents approached the subjects in the red pickup and interviewed them as to their immigration status. Agents identified the driver as Cruz Guadalupe SALGADO-Ferrer and the passenger as Mario Alexander TORRES-Ortega. Both subjects admitted to be illegally present in the United States. At that point, the agents placed both subjects under arrest read their Miranda Rights.

## SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

OK to file. TRJ

Signature of Complainant

Sworn to before me and subscribed in my presence,

Francisco Sanchez Senior Patrol Agent

Printed Name of Complainant

August 11, 2016  
Dateat McAllen, Texas  
City and StateDiana Song Quiroga, U. S. Magistrate Judge  
Name and Title of Judicial OfficerDiana Song Quiroga  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-16-1505 -M**

**RE: Cruz Guadalupe Salgado-Ferrer  
Mario Alexander Torres-Ortega**

**CONTINUATION:**

Agents questioned the subjects about the residence located at 5812 Mendoza Street in Mercedes, Texas. Both subjects explained that in the property there is three mobile homes next to each other and they do not connect from the inside. SALGADO stated that he lives in the middle mobile home with his family and he gave verbal consent to search his house. TORRES claimed to reside with SALGADO and told the agents that he knew there were approximately twenty illegal aliens in the mobile home next to them. Agents approached the property to search SALGADO's house. Agents searched SALGADO's residence with negative results. Agents also questioned SALGADO's family members and discovered that TORRES did not reside with them in fact, he resided in the mobile home next to them.

Agents then confronted TORRES with the new information and TORRES admitted to live in the mobile home where the illegal aliens were staying. TORRES also mentioned that he is not the owner of the mobile home and he stays there from time to time. TORRES granted verbal consent to enter the mobile home and search for illegal aliens. Agent M. Lam along with Deputy Cortez, knocked on the door of the mobile home and made contact with an adult male identified as Adolfo Sebastian PANJOJ-Panjoj. PANJOJ admitted being illegally present in the United States. Agent Lam then asked for consent to enter the premises perform an immigration inspection on the remainder of the individuals inside. PANJOJ gave verbal consent to enter the mobile trailer. Agents found a total of twenty illegal aliens inside the mobile home.

**PRINCIPAL STATEMENT – 1:**

Cruz Guadalupe SALGADO-Ferrer was advised of his Miranda Warnings and agreed to provide a sworn statement without an attorney present.

Cruz Guadalupe SALGADO-Ferrer a citizen of Mexico, stated his neighbor TORRES asked him to go to the store with him and in return, he was going to give him \$10.00 USD. SALGADO agreed to go with him. SALGADO stated that the red pickup truck belongs to TORRES. SALGADO also stated he was driving the truck at the time they got pulled over by police because TORRES told him to drive. SALGADO claims not knowing about the illegal aliens and denies any involvement with alien smuggling.

Cruz Guadalupe SALGADO-Ferrer identified Mario Alexander TORRES-Ortega through a photo lineup as the person residing with the illegal aliens.

**PRINCIPAL STATEMENT – 2:**

Mario Alexander TORRES-Ortega was read his Miranda Rights and agreed to provide a statement without an attorney present.

Mario Alexander TORRES-Ortega a citizen of Honduras stated he crossed illegally on or about June 25, 2016. TORRES also stated that he was to pay \$7,500.00 USD to be smuggled into the United States but he did not paid the full amount and he was forced to work for the smugglers. TORRES claims he was paying his debt by cooking and feeding the illegal aliens in the stash house he was living in. TORRES indicated that his neighbor SALGADO is in charge of transporting illegal aliens to and from different locations. TORRES also indicated that the red pickup truck belongs to SALGADO and he uses that truck to transport the illegal aliens.

Mario Alexander TORRES-Ortega identified Cruz Guadalupe SALGADO-Ferrer through a photo lineup as the person in charge of transporting illegal aliens.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

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**M-16- 1505 -M**

**RE: Cruz Guadalupe Salgado-Ferrer  
Mario Alexander Torres-Ortega**

**CONTINUATION:**

**MATERIAL WITNESS STATEMENT – 1:**

Julian PERES-Benites was advised of his Miranda Warnings and agreed to provide a statement without an attorney present.

Julian PERES-Benites a citizen of Honduras, stated he paid \$1,200.00 USD to be smuggled into the United States. PERES stated he spent four days in the stash house before being arrested by Border Patrol. PERES indicated that a man with marijuana tattoos on his arm, was in charge of the stash house. PERES stated that the man had his own room. PERES also stated that the man would cook for them and told them to listen to his instructions because he was in charge. PERES indicated that the man would threaten them that if they were to go outside house or make any noise, he would keep them locked up longer.

Julian PERES-Benites identified Mario Alexander TORRES-Ortega through a photo lineup as the person who transported him to the stash house and also the person in charge of the stash house.

**MATERIAL WITNESSES STATEMENT – 2:**

Daniel Angel XANTE-Felipe was read his Miranda Rights and agreed to provide a statement without the presence of an attorney.

Daniel Angel XANTE-Felipe a citizen of Guatemala stated that he crossed illegally into the United States on August 1, 2016. Once in the United States, a man driving a marron pickup truck drove him to the stash house where he was arrested by Border Patrol. XANTE indicated that when the man showed up to pick them up, he told them to get in the truck because he was going to take them where they needed to be. Also, once inside the truck, he told them to hunker down. XANTE stated that the same man was also in charge of the stash house. XANTE claims the man gave them instructions to keep quiet. XANTE also indicated that the man stayed in the same stash house.

Daniel Angel XANTE-Felipe identified Mario Alexander TORRES-Ortega through a photo lineup as the person who transported him to the stash house and also the person in charge of the stash house.

**MATERIAL WITNESSES STATEMENT - 3:**

Marlon Javier SARAVIA-Cortez was read his Miranda Rights and agreed to provide a statement without an attorney present.

Marlon Javier SARAVIA-Cortez a citizen of El Salvador, stated his sister paid an unknown amount of money for him to be smuggled into the United States. Once in the United States he was taken to an unknown stash house for one night and subsequently transported to a parking lot where a man driving a red truck came and picked them up. The man transported them to the stash house where they were arrested by Border Patrol. SARAVIA indicated that the man had a big tattoo on his neck and once inside the truck, he gave them instructions to hunker down.

Marlon Javier SARAVIA-Cortez identified Cruz Guadalupe SALGADO-Ferrer through a photo lineup as the man who transported him to the stash house.